

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JASON PEREZ : CIVIL ACTION
 :
v. :
 :
MONTGOMERY COUNTY CORRECTIONAL :
FACILITY, et al. : NO. 06-2406

M E M O R A N D U M

SHAPIRO, J. JULY , 2006

Plaintiff, a prisoner, has filed a pro se civil rights complaint against the Montgomery County Correctional Facility and the warden of that correctional facility. He is alleging that, because no one checked his age or contacted his guardian, when he was sixteen (16) years old he was tried and convicted as an adult. He further alleges that while he was a minor, he was placed in the general population in the Montgomery County Correctional Facility. He is seeking monetary compensation.

Federal Rule of Civil Procedure 8(a)(2) provides that a pleading setting forth a claim for relief shall contain "a short and plain statement of the claim showing that the pleader is entitled to relief." A civil rights complaint, like any other civil action, must be pled with sufficient specificity to give "the defendant fair notice of what claim is being pressed against him so that he can make an adequate response." Loftus v. Southeastern Pa. Transp. Auth., 843 F. Supp. 981, 986 (E.D. Pa. 1994) (citing Conley v. Gibson, 355 U.S. 41, 47 (1957)).

Plaintiff's complaint does not contain enough information to allow the defendants to respond to his claims. Since plaintiff

is pro se, he will be granted leave to file an amended complaint to meet this pleading infirmity.¹

If plaintiff intends to pursue this case, he must file an amended complaint which contains all of his claims, and in which he describes as clearly and briefly as possible: (1) the specific events or conditions which violated his constitutional rights; (2) the name of each person who violated his constitutional rights; (3) the dates on which his constitutional rights were violated; and (4) the harm he suffered, if any, from each violation.

¹ If plaintiff cannot adequately prepare an amended complaint, he may request that counsel be appointed to represent him in this case.

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AND NOW, this day of July, 2006, in accordance with
the Memorandum filed this date,

IT IS ORDERED that:

1. Leave to proceed in forma pauperis is GRANTED.
2. This complaint is DISMISSED pursuant to 28 U.S.C. § 1915(e), with leave to amend as specified in the Memorandum within thirty (30) days of the date of this Order. Upon the filing of an amendment, the Clerk shall not make service until so ORDERED by the Court.

BY THE COURT:

NORMA L. SHAPIRO, J.